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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,641	04/12/2004	Kimmo Hamynen	P4327US00	1940
36671 7590 09/02/2010 DITTHAVONG MORI & STEINER, P.C. 918 Prince Street Alexandria, VA 22314				
EXAMINER DONAGHUE, LARRY D				
ART UNIT 2454		PAPER NUMBER		
NOTIFICATION DATE 09/02/2010		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docket@dcpatent.com

Office Action Summary

Application No.

10/822,641

Applicant(s)

HAMYNEN ET AL.

Examiner

Larry Donaghue

Art Unit

2454

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 11-23, 26-43 is/are pending in the application.
- 4a) Of the above claim(s) 26-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 11-23 and 41-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB06)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claims 1-7, 11-23, and 41-43

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1- 3, 5-6,11-18, 21, 23 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diedrich et al. 20020199018 and Edmark et al. 6,819,267.

Diedrich et al. taught the invention (claims 1 and 23) substantially as claimed obtaining a location update relative to a position of a mobile terminal; forming location criteria from the location update (fig; 6, element 606,608) including the location criteria and a search keyword in a Web content request from the mobile terminal (figure 6, elements 610, 612,618); and receiving filtered results from the Web content request according to the search keyword and the location criteria to form position relevant Web content at the mobile terminal (015) .

As to claim 2, Diedrich et al. taught obtaining the location update comprises receiving location information from a base station wirelessly coupled to the mobile terminal.(034)

As to claim 3, Diedrich et al. taught obtaining the location update comprises receiving location information from a Global Positioning System (GPS) (034).

As to claim 5, Diedrich et al. taught forming location criteria comprises establishing a location accuracy parameter that defines an area surrounding the location update (figure 3).

As to claim 6, Diedrich et al. taught the Web content request includes a Hyper Text Transport Protocol (HTTP) message (039).

As to claims 1 and 23, Diedrich et al. did not expressly teach storing the position relevant Web content in a location bookmark area of the mobile terminal, wherein the position relevant Web content is associated with a particular location and arranged by location identifiers within the location bookmark area. This was taught by Edmark et al. (figure 3). It would have been obvious to combine these teachings as Diedrich et al. taught the use of bookmarks and Edmark et al. taught an organization schema that is compatible with the queries of Diedrich et al.

As to claim 11, Edmark et al. taught periodically updating the position relevant Web content (figure 2, col. 6).

As to claim 12, Edmark et al. taught comprising categorizing the updated results according to a location heading (figure 2, col. 6).

As to claim 13, Edmark et al. taught the categorized headings are prioritized according to the relative position of the mobile terminal.

As to claim 14, Edmark et al. taught the automatically displaying the updated results in response to the relative position of the mobile terminal (figure 3, element 380).

As to claim 41 and 43, Edmark et al. taught the instructions are further executable for periodically updating the location bookmark in response to a relative position of the mobile terminal (figure 2, col. 6)

As to claims 15 and 21 the mobile terminal elements has been addressed in rejection of claim 1 and 41 and 43) the addition limitation are the location tagged web content at the server (Diedrich et al. Figure 2, para. 0041-0048).

As to claim 16, Diedrich et al. taught the mobile terminal comprises a location update module configured to maintain the relative position of the mobile terminal (053-054).

As to claim 17, Diedrich et al. taught, wherein the location update module comprises a Global Positioning System (GPS) module (034).

As to claim 18, Diedrich et al. taught the mobile terminal further comprises a geographical search module coupled to the location update module and configured to convert the current location of the mobile terminal into the geographical criteria contained within the Web content request (053-054).

As to claim 42, Edmark et al. taught the apparatus is further configured to update the location bookmark in response to a relative position of the apparatus as determined by the location update module (figure 2, col. 6).

Claims 7 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diedrich et al. 20020199018 and Edmark et al. 6,819,267 as applied to claims 1,6 and ,15-18 above, and further in view of Koss (7,573,843).

The previously cited references failed to expressly teach wherein the HTTP message presents the location criteria within an HTTP header. This is taught by Koss (col. 5, lines 5-15). Koss supplies rationale in support of the combination (col. 6, line 48-56).

Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Diedrich et al. 20020199018 and Edmark et al. 6,819,267 as applied to claims 21 and 15 above, and further in view of Sorvari et al. 2004/0043758.

The previously cited references failed to expressly teach the use of text to speech converter, this is taught by Sorvari et al. (para. 84), it would be obvious to modify the previous teaching with this element as it would aid the sight impaired.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are listed on attached PTO-892.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry Donaghue whose telephone number is (571)272-3962. The examiner can normally be reached on Monday-Friday 9:00 -6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Larry Donaghue/
Primary Examiner, Art Unit 2454